

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of

Anatoly DRITSCHILO et al.

Group Art Unit: 1617

Application Serial No. 09/382,794

Examiner: H. Nguyen

Filed: August 25, 1999

Title: DELIVERY SYSTEM FOR THERAPY COMPRISING HOLLOW SEEDS, PREFERABLY METAL,  
AND USE THEREOF

\* \* \* \* \*

**Affidavit by Robin L. Teskin**  
**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**OR ALTERNATIVELY REVIVE UNINTENTIONALLY ABANDONED**  
**APPLICATION UNDER 37 C.F.R. 1.137(b)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Robin L. Teskin, declare and state as follows:

- (1) That I am a registered patent attorney and agent of record for this application.
- (2) That responsibility for prosecution of this application was transferred from the law firm of Shaw Pittman to Pillsbury Winthrop on November 28, 2001, the date I joined Pillsbury Winthrop as a partner.
- (3) That on that date responsibility for prosecution of between 1500-2000 active prosecution files was transferred to Pillsbury Winthrop.
- (4) That promptly and diligently upon receipt of these files into Pillsbury Winthrop's offices these 1500-2000 files were reviewed, docketed into our computerized docketing system, and letters to the United States Patent Office as well as to numerous foreign associates were mailed, advising them of the transfer of these matters to Pillsbury Winthrop. In fact, given the volume of this task, our U.S. and foreign docketing staff worked several hundreds of overtime hours during the months of December and January processing transferred files.

(5) That as part of these procedures were in place, a change of attorney for this particular application was filed on August 20, 2001 and entered by the Patent Office as indicated by the address to which an Official Action was sent on October 4, 2001.

(6) That as part of a massive change of address for all Pillsbury records at the USPTO a change of address/Power of Attorney was filed on May 9, 2002 to reflect Pillsbury's customer number (#909) and that this filing had resulted in changing the address of record of the subject application from 1600 Tysons Boulevard, McLean, Virginia 22102 to P.O. Box 10500 McLean, Virginia 22102 and that their change had no impact on the address for mailing the Notice of Non-Compliant Amendment as papers for changing the mailing address for customer #909 were filed March 15, 2002 two months after the apparent date of the Notice.

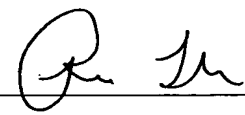
(7) That a Reply to the Official Action of October 4, 2001 was timely filed on December 18, 2001.

(8) That the Notice of Non-Compliant Amendment (37 C.F.R. §1.121) of January 14, 2002 if mailed by the United States Patent and Trademark Office would have been addressed to Pillsbury's address of record at the time which is the same address indicated on the Official Action of October 4, 2001.

(9) That the Notice was never received at Pillsbury prior to the fax from Examiner Nguyen upon request by Mr. Samir Elamrani.

(10) I hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true.

10/4/02  
Date

  
Robin L. Teskin

1123102.

Files Required for Official Actions

01/22/2002

Page 1

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
ATSUMI 8312	21314	290493	GJP	MISS/DATE GRNTD	mgh	dgw
DAGENAIS 9919	21308	290551	JDK	MISS/DATE GRNTD	mgh	dgw
DIXON 9901	581909	270671	DJB	MXK 3-MONTH ACTION	mgh	dgw
DONDERS 81468	721741	275328	JSB RCP	FINAL REJECTION	mgh	dgw
GELLING 30268	930502	265270	PLS	3-MONTH ACTION	mgh	dgw
GILBERT 81427	374205	259138	JSB TPH	NTC OF HEARING	mgh	dgw
JOO 8318	751446	275502	GJP GPB	NTC/ALL'Y-NO RQ	mgh	dgw
KART 60258	155201	255932	DSL CHM	3-MONTH ACTION	mgh	dgw
KAWAKAMI 70120	521601	266233	DSL TPT	NTC/ALL'Y-NO RQ	mgh	dgw
KIM 83124	891507	279203	GJP GPB	GJP 3-MONTH ACTION	mgh	dgw
KWOK 74066	316227	270827	MGP GJP	TJK 3-MONTH ACTION	mgh	dgw
LAVERY 70662	701901	274445	PLS RWH	NTC/ALL'Y-NO RQ	mgh	dgw
LEVINE	788298	276053	DAJ	3-MONTH ACTION	mgh	dgw
LYNCH 74066	149988	282758	MGP PTB	JPD NTC/ALLW'Y-DWGS	mgh	dgw
MALLANT 30268	305477	260500	PLS ISZ	3-MONTH ACTION	mgh	dgw
MOHSENIN	458494	261849	DAJ CHK	3-MONTH ACTION	mgh	dgw
NEUBURGER 81069	343676	256903	JSB BPC	NTC/ALLOWANCE	mgh	dgw
PARK 71261	261508	260031	GJP	3-MONTH ACTION	mgh	dgw
PEROTTO 7882	992426	243804	ARH RWH	3-MONTH ACTION	mgh	dgw
ROSENSTEIN	20009	277606	DAJ CDA	MISS/DATE GRNTD	mgh	dgw
SAKAMOTO 8312	119737	248945	GJP VXX	NTC/ALLOWANCE	mgh	dgw
SALMIVALLI 60258	14804	284103	DSL CHM	MISS/DATE GRNTD	mgh	dgw
SHIMIZU 9523	542282	264978	GJP HJD	3-MONTH ACTION	mgh	dgw
SMART 74066	142700	279186	MGP GJP	PTB NTC/ALLW'Y-DWGS	mgh	dgw
STOELDRALJER 81468	293000	258884	JSB HJD	TPT NTC/ALLW'Y-DWGS	mgh	dgw
STUDLEY 70662	423428	264870	PLS RWH	3-MONTH ACTION	mgh	dgw
SUSLOV 11223	719691	275956	MGP PTB	3-MONTH ACTION	mgh	dgw

## Files Required for Official Actions

01/22/2002

Page 2

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
TALIEH	738561	269933	DAJ CHK	NTC/ALL'Y-NO RQ	mgh	dgw
TIJET 71246	166845	254860	ARH RWH	UNTITLED PAPER	mgh	dgw
TORTORELLO 21028	419113	260272	PLS WDW	FINAL REJECTION	mgh	dgw
VOLPE	252637	239600	DAJ	3-MONTH ACTION	mgh	dgw
WILLUS	451919	255328	EXF	NTC/ALLW'Y-DWGS	mgh	dgw
YAMAMOTO 40806	369318	254968	DSL JPD	FINAL REJECTION	mgh	dgw
YOKOI 11453	701137	275392	GLK JPD TIS	3-MONTH ACTION	mgh	dgw

10 - Files

3 - Loose papers

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## Files Required for Official Actions

01/18/2002

Page 1

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
ASAI 41226	529597	266966	GJP KMF AJM	NTC/ALL'Y-NO RQ	dgw	jeh
AYASH	126882	239624	DAJ	ABANDONMENT	dgw	jeh
DAO	663560	269868	DAJ CDA	3-MONTH ACTION	dgw	jeh
DUSCH 21123	657998	272800	MAS	3-MONTH ACTION	dgw	jeh
EWING 30663	555121	270644	WPA	NTC/ALLOWANCE	dgw	jeh
<del>IDE 8312</del>	<del>801745</del>	<del>278018</del>	<del>GJP WSE JMS</del>	<del>FINAL REJECTION</del>	<del>dgw</del>	<del>jeh</del>
ITO 50931	510235	266331	GJP HJD KXG	FINAL REJECTION	dgw	jeh
JEONG 82124	751939	275428	GJP GPB	3-MONTH ACTION	dgw	jeh
KAMIO 7874	520966	257725	ARH RWH	FINAL REJECTION	dgw	jeh
LEE 82118	722494	275853	GJP GPB	3-MONTH ACTION	dgw	jeh
LEE 82124	750228	276525	GJP GPB GJP	NTC/ALLOWANCE	dgw	jeh
LOONTJENS 30268	772870	275560	PLS ISZ	NTC/ALL'Y-NO RQ	dgw	jeh
<del>ARCH 9901</del>	<del>597835</del>	<del>270771</del>	<del>PLS</del>	<del>3-MONTH ACTION</del>	<del>dgw</del>	<del>jeh</del>
MAUGHON	271348	257393	DHJ TVG NSB	NTC/ALL'Y-NO RQ	dgw	jeh
MERKAMM 21123	373731	263268	MAS	FINAL REJECTION	dgw	jeh
MEYRICK 70662	647479	271586	PLS RWH	FINAL REJECTION	dgw	jeh
NGUYEN 21058	809044	237276	WPA	3-MONTH ACTION	dgw	jeh
OHMI 40258	679061	274016	GJP	3-MONTH ACTION	dgw	jeh
REYMOND 11422	332902	260363	GJP RWH	3-MONTH ACTION	dgw	jeh
SATO 51273	438292	264962	DSL JPD CDB	NTC/ALL'Y-NO RQ	dgw	jeh
SCHACHT 40432	754113	273642	WPA	1-MONTH ACTION	dgw	jeh
SINGH 81468	605651	271436	JSB RCP	3-MONTH ACTION	dgw	jeh
SPARGO 81815	606085	262926	JSB	NTC/ALL'Y-NO RQ	dgw	jeh
STANIER 81935	395769	263286	PLS PLS ISZ	NTC/ALL'Y-NO RQ	dgw	jeh
<del>SUVANEN 60256</del>	<del>486492</del>	<del>257670</del>	<del>DSL CHM</del>	<del>3-MONTH ACTION</del>	<del>dgw</del>	<del>jeh</del>
UZOH	483095	259625	DAJ CDA	NTC/ALL'Y-NO RQ	dgw	jeh

12- Files  
1- Loose papers

Files Required for Official Actions

01/17/2002

Page 1

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
BERGMANN	381032	263260	RXT BDW	FINAL REJECTION	lxs	jeh
CLARKIN	756104	270646	DSL RCP	3-MONTH ACTION	lxs	jeh
DULEY	341575	262300	JSB WSE	3-MONTH ACTION	lxs	jeh
FOGED	239533	258274	JSB BET	SEQUENCE LIST	lxs	jeh
KATAYAMA	577503	270559	DSL ASW	NTC/ALL'Y-NO RQ	lxs	jeh
KIM	860769	281210	GJP	3-MONTH ACTION	lxs	jeh
KOIKE	604791	271504	GJP	NTC/ALL'Y-NO RQ	lxs	jeh
KUNG	327376	260310	GJP	NTC/ALL'Y-NO RQ	lxs	jeh
MAIN	743455	275905	PLS RWH	NTC/ALL'Y-NO RQ	lxs	jeh
PIIRAINEN	171881	256326	DSL CHM CDB	NTC/ALLW'Y-DWGS	lxs	jeh
PIIRAINEN	355748	262698	DSL CHM	NTC/ALL'Y-NO RQ	lxs	jeh

3 Copy Center  
1 Loose paper

11/17/02

## Files Required for Official Actions

01/16/2002

Page 1

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
BEN-MEIR	603116	269893	DAJ RSJ	3-MONTH ACTION	jeh	dgw
EIKMANN <del>21123</del>	<del>455777</del>	265175	MAS	NTC/ALL Y-NO RQ	jeh	dgw
ELLIS 91498	980058	257908	DSL CMC	3-MONTH ACTION	jeh	dgw
MCFARLAND	474602	261838	DAJ RSJ	3-MONTH ACTION	jeh	dgw
PINCKARD	706072	271944	JEJ KAC	3-MONTH ACTION	jeh	dgw
STANIER 18679	701885	275992	PLS JKH	3-MONTH ACTION	jeh	dgw
WILKIN 7040	755114	276508	ALM	3-MONTH ACTION	jeh	dgw

2- Loose papers  
1- File

Proc. 1/16/02 P.5

Files Required for Official Actions

01/15/2002

Page 1

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
ANDERSON	905928	280645	RXT	UNTITLED PAPER	mgh	dgw
ARITAKE	365752	262758	DSL GPB	FINAL REJECTION	mgh	dgw
BAE	824879	279267	GJP RXT	3-MONTH ACTION	mgh	dgw
CHARLES	486385	265534	<del>DJB</del> <sup>PLS</sup>	MXK 3-MONTH ACTION	mgh	dgw
DIXON	674083	271018	<del>DJB</del> <sup>PLS</sup>	MXK 3-MONTH ACTION	mgh	dgw
FURUTA	149886	283748	DSL JRM	VPH MISS/DATE GRNTD	mgh	dgw
HASEGAWA	851428	280326	GJP	1-MONTH ACTION	mgh	dgw
HEIKKILA	26943	284176	DSL CHM	MISS/DATE GRNTD	mgh	dgw
KIMOTO	905976	281577	DSL GPB	3-MONTH ACTION	mgh	dgw
KOMINO	667770	272798	GJP	3-MONTH ACTION	mgh	dgw
KOWALCZYK	691243	274264	JSB BPC	3-MONTH ACTION	mgh	dgw
LI	849348	280311	GJP AJM	NTC/ALL'Y-NO RQ	mgh	dgw
MCBRIDE	738317	274203	JSB	3-MONTH ACTION	mgh	dgw
MOCKEL	852137	280306	MAS	3-MONTH ACTION	mgh	dgw
MOSER	284140	258885	DSL	3-MONTH ACTION	mgh	dgw
SHIMIZU	434280	264913	ARH RWH	NTC/ALLOWANCE	mgh	dgw
TERADA	746367	226667	GJP TCS	FINAL REJECTION	mgh	dgw
VELASQUEZ	150026	280835	BPC JSB	NTC/ALLW'Y-DWGS	mgh	dgw
WALKER	605885	255694	GJP	3-MONTH ACTION	mgh	dgw
WALKER	729983	275709	DJB <sup>RWH</sup>	MXK 3-MONTH ACTION	mgh	dgw
WATARAI	814952	276883	<del>GJP</del> <sup>70</sup> KMF	WSE NTC/ALL'Y-NO RQ	mgh	dgw
WESTON	923005	283226	PNK	UNTITLED PAPER	mgh	dgw
WHITE	628187	275977	RXT	FINAL REJECTION	mgh	dgw
YUE	745068	269528	DAJ	3-MONTH ACTION	mgh	dgw
YUE	12209	276083	DAJ	MISS/DATE GRNTD	mgh	dgw
WEICHER	807500	236007	PLS BET	FINAL REJECTION	mgh	dgw
ZHOU	256351	259223	DSL VPH	NTC/ALLW'Y-DWGS	mgh	dgw

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Files Required for Official Actions

01/14/2002

Page 1

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
BEDARD 9919	14803	284138	JDK	MISS/DATE GRNTD	jeh	lxs
<del>BEDELS 30662</del>	<del>423052</del>	<del>264888</del>	<del>PLS RWH</del>	<del>3-MONTH ACTION</del>	<del>jeh</del>	<del>lxs</del>
BREWER 74066	469954	270865	GJP PTB	NTC/ALL'Y-DWGS	jeh	lxs
DUVACQUIER 7887	38931	251121	ARH RWH	NTC/ALL'Y-DWGS	jeh	lxs
EWING 30663	555121	270644	PNK	NTC/ALL'Y-NO RQ	jeh	lxs
FURBER 9901	583000	271556	PLS	1-MONTH ACTION	jeh	lxs
<del>GUSTAFSSON 60256</del>	<del>529557</del>	<del>258468</del>	<del>DSL CHM</del>	<del>3-MONTH ACTION</del>	<del>jeh</del>	<del>lxs</del>
<del>HANEY 40803</del>	<del>523459</del>	<del>257667</del>	<del>GLK</del>	<del>TIS 3-MONTH ACTION</del>	<del>jeh</del>	<del>lxs</del>
HASEGAWA 8312	188568	257850	GJP WSE	NTC/ALL'Y-NO RQ	jeh	lxs
HASHIMOTO 8312	363107	262754	GJP WSE	FINAL REJECTION	jeh	lxs
HAYAKAWA 51273	631696	271659	DSL JPD	NTC/ALL'Y-NO RQ	jeh	lxs
<del>KIM 82116</del>	<del>705873</del>	<del>275271</del>	<del>GJP GPB</del>	<del>3-MONTH ACTION</del>	<del>jeh</del>	<del>lxs</del>
IM 82124	741878	275487	GJP GPB	FINAL REJECTION	jeh	lxs
KIVIRANTA 60358	7691	290442	DSL CHM	MISS/DATE GRNTD	jeh	lxs
KOIKE 31317	681412	224570	DSL GPB	3-MONTH ACTION	jeh	lxs
KUBO 8312	469166	265481	GJP CDB	FINAL REJECTION	jeh	lxs
<del>KWOK 74066</del>	<del>4428</del>	<del>282771</del>	<del>GJP PTB</del>	<del>TJK INCOMPLETE APPL</del>	<del>jeh</del>	<del>lxs</del>
LANSBERRY 41564	577261	266764	JSB BPC	NTC/ALL'Y-NO RQ	jeh	lxs
LINDEQUIST 70051	647452	274015	ALM PTB VXX	NTC/ALL'Y-NO RQ	jeh	lxs
<del>MIZUTANI 70145</del>	<del>643712</del>	<del>271534</del>	<del>DSL GPB</del>	<del>GTB NTC/ALL'Y-NO RQ</del>	<del>jeh</del>	<del>lxs</del>
<del>OVEREND 70667</del>	<del>331958</del>	<del>260245</del>	<del>PLS RWH</del>	<del>FINAL REJECTION</del>	<del>jeh</del>	<del>lxs</del>
<del>RYOO 82124</del>	<del>5877</del>	<del>282767</del>	<del>GJP GPB</del>	<del>MISS/DATE GRNTD</del>	<del>jeh</del>	<del>lxs</del>
SAKAI 30954	95131	254757	DSL WSE	NTC/ALL'Y-NO RQ	jeh	lxs
SHAO 11190	319363	260533	GLK RCP TIS	FINAL REJECTION	jeh	lxs
SYMONS 61307	937565	283676	PNK	3-MONTH ACTION	jeh	lxs
HIELEMANS 9164 to 918 1-14-02	209415	259280	GLK WSE TIS	FINAL REJECTION	jeh	lxs
<del>UEMURA 51273</del>	<del>828159</del>	<del>280087</del>	<del>DSL JPD</del>	<del>3-MONTH ACTION</del>	<del>jeh</del>	<del>lxs</del>

## Files Required for Official Actions

01/14/2002

Page 2

Inventor	Serial #	Matter #	Attorneys	Action Desc.	ID1	ID2
UZAWA 9523	522038	257764	GJP HJD	NTC/ALL'Y-NO RQ	jeh	lxs
WETZEL 90128	930702	272744	PLS	FINAL REJECTION	jeh	lxs
YAHAV 20598	820815	278010	DSL	3-MONTH ACTION	jeh	lxs
YAMADA 11349	414864	264189	GJP (ISZ)	3-MONTH ACTION	jeh	lxs
YAMANASHI 9523	540533	258446	GJP HJD TPT	NTC/ALL'Y-NO RQ	jeh	lxs
OSTGARD 21123	783387	277070	(MAS)	1-month action	jeh	

9-Files

6-Loose papers